

#13
RCE
H. Robinson
9/30/03

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| | | |
|---|-----------------------------|------------------------|
| Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Application Number | 09/090,315-Conf. #3755 |
| | Filing Date | June 4, 1998 |
| | First Named Inventor | Howard E. Rhodes |
| | Art Unit | 2811 |
| | Examiner Name | S.a. Gebremariam |
| | Attorney Docket No. | M4065.0059/P059 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☒ Other Amendment filed on August 13, 2003.

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☒ Payment by credit card (Form PTO-2038 enclosed)

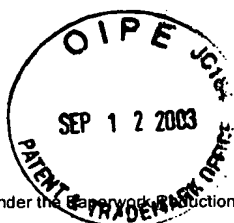
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| | | | |
|--|-------------------|--|--------------------|
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | |
| Name (Print/Type) | Thomas J. D'Amico | Registration No. (Attorney/Agent) | 28,371 |
| Signature | | Date | September 12, 2003 |

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| FEE TRANSMITTAL for FY 2003 <small>Effective 01/01/2003, Patent fees are subject to annual revision.</small> | | Complete if Known | |
|--|-------------------|--|-------------------------------------|
| | | Application Number | 09/090,315-Conf. #3755 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Filing Date | June 4, 1998 |
| | | First Named Inventor | Howard E. Rhodes |
| | | Examiner Name | S.a. Gebremariam |
| TOTAL AMOUNT OF PAYMENT (\$) | | 860.00 | Attorney Docket No. M4065.0059/P059 |
| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | |
| <input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | | 3. ADDITIONAL FEES | |
| <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 04-1073 Deposit Account Name: Dickstein Shapiro Morin & Oshinsky LLP | | Large Entity Small Entity | |
| The Director is authorized to: (check all that apply) | | Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments | | 1051 130 2051 65 Surcharge - late filing fee or oath | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application | | 1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet. | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | 1053 130 1053 130 Non-English specification | |
| 1. BASIC FILING FEE | | 1812 2,520 1812 2,520 For filing a request for ex parte reexamination | |
| Large Entity Small Entity | | 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action | |
| Fee Code Fee (\$) | Fee Code Fee (\$) | 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action | |
| 1001 750 2001 375 Utility filing fee | | 1251 110 2251 55 Extension for reply within first month 110.00 | |
| 1002 330 2002 165 Design filing fee | | 1252 410 2252 205 Extension for reply within second month | |
| 1003 520 2003 260 Plant filing fee | | 1253 930 2253 465 Extension for reply within third month | |
| 1004 750 2004 375 Reissue filing fee | | 1254 1,450 2254 725 Extension for reply within fourth month | |
| 1005 160 2005 80 Provisional filing fee | | 1255 1,970 2255 985 Extension for reply within fifth month | |
| SUBTOTAL (1) (\$) 0.00 | | 1401 320 2401 160 Notice of Appeal | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | | 1402 320 2402 160 Filing a brief in support of an appeal | |
| Total Claims ** = Extra Claims Fee from below Fee Paid | | 1403 280 2403 140 Request for oral hearing | |
| Independent Claims ** = | | 1451 1,510 1451 1,510 Petition to institute a public use proceeding | |
| Multiple Dependent | | 1452 110 2452 55 Petition to revive - unavoidable | |
| Large Entity Small Entity | | 1453 1,300 2453 650 Petition to revive - unintentional | |
| Fee Code Fee (\$) | Fee Code Fee (\$) | 1501 1,300 2501 650 Utility issue fee (or reissue) | |
| 1202 18 2202 9 Claims in excess of 20 | | 1502 470 2502 235 Design issue fee | |
| 1201 84 2201 42 Independent claims in excess of 3 | | 1503 630 2503 315 Plant issue fee | |
| 1203 280 2203 140 Multiple dependent claim, if not paid | | 1460 130 1460 130 Petitions to the Commissioner | |
| 1204 84 2204 42 ** Reissue independent claims over original patent | | 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) | |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent | | 1806 180 1806 180 Submission of Information Disclosure Stmt | |
| SUBTOTAL (2) (\$) 0.00 | | 8021 40 8021 40 Recording each patent assignment per property (times number of properties) | |
| **or number previously paid, if greater; For Reissues, see above | | 1809 750 2809 375 Filing a submission after final rejection (37 CFR 1.129(a)) | |
| | | 1810 750 2810 375 For each additional invention to be examined (37CFR 1.129(b)) | |
| | | 1801 750 2801 375 Request for Continued Examination (RCE) 750.00 | |
| | | 1802 900 1802 900 Request for expedited examination of a design application | |
| | | Other fee (specify) | |
| | | *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 860.00 | |
| SUBMITTED BY | | (Complete if applicable) | |
| Name (Print/Type) | Thomas J. D'Amico | Registration No. (Attorney/Agent) | 28,371 |
| Signature | | Telephone | (202) 828-2232 |
| | | Date | September 12, 2003 |

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